

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO. 3475-01
BILL NO. HB 1337
SUBJECT: Crimes and Punishment: Law Enforcement Officers - Motor Vehicles
TYPE: Original
DATE: January 25, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None	\$0	\$0	\$0
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Transportation, Missouri State Highway Patrol, Department of Revenue** and the **Office of Prosecution Services** assume this proposal would have no fiscal impact on their agencies.

Officials of the **State Public Defender (SPD)** that existing staff could provide representation for those 15-20 cases arising where indigent persons were charged with eluding a law enforcement official by use of a motor vehicle. However, passage of more than one similar bill would require the SPD system to request increased appropriations to cover the cumulative cost of representing the indigent accused.

Officials of the **State Courts Administrator (CTS)** would expect that this proposal would result in an additional charge in existing cases; therefore, CTS staff would not anticipate a significant increase in the workload of the judiciary.

In response to a similar proposal, officials of the **Department of Corrections (DOC)** stated that they could not predict the number of new commitments which could result from the creation of the offense(s) outlined in this proposal. An increase in commitments would depend on the utilization of prosecutors and the actual sentences imposed by the court. If additional persons were sentenced to the custody of the DOC due to the provisions of this legislation, the DOC would incur a corresponding increase in operational costs either through incarceration (at least \$35.00 per inmate, per day) or through supervision provided by the Board of Probation and Parole (at least \$3.50 per offender, per day). Supervision by the DOC through probation or incarceration would result in some additional costs, but DOC officials assume that the impact would be minimal.

The need for additional capital improvements or rental space is not anticipated at this time. It must be noted that the cumulative effect of various new legislation, if adopted, could result in the need for additional capital improvements funding if the total number of new offenders exceeds current planned capacity.

Oversight assumes, in most cases, this proposal would result in additional charges to existing cases or alternative charges replacing existing felonies applied under current law. Therefore, Oversight assumes this proposal would not result in any significant increases to the cases remanded to the State Courts or persons remanded to the Department of Corrections.

FISCAL IMPACT - State Government

FY 2001

FY 2002

FY 2003

(10 Mo.)

\$0 \$0 \$0

FISCAL IMPACT - Local Government

FY 2001 FY 2002 FY 2003
(10 Mo.)

\$0 \$0 \$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal creates the crime of eluding a law enforcement official by use of a motor vehicle. A person commits the crime if the person attempts to elude a law enforcement official who has probable cause to believe a crime has been committed by ignoring visual or audible signals from a clearly marked law enforcement vehicle that directs the person to stop.

Eluding a law enforcement official by use of a motor vehicle is a class A misdemeanor, unless the person causes serious physical injury to another person, in which case the offense is a class D felony. In addition, persons convicted of the crime will have their driver's license suspended for at least one year.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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SOURCES OF INFORMATION

Missouri State Highway Patrol
Department of Revenue
Office of Prosecution Services
State Courts Administrator
State Public Defender
Department of Corrections
Department of Transportation

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA
Director
January 25, 2000